

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

ELLA CHOY,

Plaintiff,

vs.

WYNN RESORTS LAS VEGAS,

Defendant.

Case No. 2:11-cv-01780-GMN-PAL

**REPORT OF FINDINGS AND
RECOMMENDATION**

(IFP App - Dkt. #1)

Plaintiff Ella Choy ("Plaintiff") is proceeding in this action *pro se*. Plaintiff has requested authority pursuant to 28 U.S.C. § 1915 to proceed *in forma pauperis* and submitted a complaint on November 4, 2011. This proceeding was referred to this court by Local Rule IB 1-9.

Pursuant to 28 U.S.C. § 1914(a), a filing fee of \$350.00 is required to commence a civil action in federal district court. The court may authorize the commencement of an action without prepayment of fees and costs or security by a person who makes affidavit that he is unable to pay such costs or give security. *See* 28 U.S.C. § 1915(a).

Plaintiff has submitted the affidavit required by § 1915(a). Although Plaintiff has not provided the court with information about the unemployment she receives from Social Security in Question 3, she states that she has \$15,000.00 in a checking or savings account. The court finds that Plaintiff has sufficient income and assets to pre-pay the costs and fees of this action, and Plaintiff is ineligible to proceed *in forma pauperis*.

Accordingly,

IT IS RECOMMENDED that Plaintiff's Application to Proceed *In Forma Pauperis* (Dkt. #1) be **DENIED**, that Plaintiff be required to pay the filing fee of \$350.00, and that failure to do so within the time set by the district judge should result in dismissal of this action.

